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FACSIMILE CERTIFICATE

I hereby certify that this correspondence and every paper referred to therein as being enclosed is being filed via facsimile to the designated fax number (571)273-8300 to Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450 on the date indicated below.

Date: August 25, 2006
By: Jennifer Archer
Jennifer Archer

**AMENDMENT AFTER FINAL REJECTION
EXPEDITED EXAMINING PROCEDURE**

Attorney Docket No. 100717-502 / Bayer 10,139.3 KGB

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT : Thomas KRAHN et al
SERIAL NO. : 09/966,522
CUSTOMER NO. : 27384
FILED : September 28, 2001
FOR : MASKING BACKGROUND FLUORESCENCE AND
LUMINESCENCE IN THE OPTICAL ANALYSIS OF BIOMEDICAL
ASSAYS
ART UNIT : 1641
EXAMINER : Pensee T. Do

August 25, 2006

Mail Stop AF
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

AMENDMENT UNDER 37 CFR § 1.116

SIR:

In response to the Office Action dated February 28, 2006, please consider the following remarks and arguments:

Remarks/Arguments begin on page 3 of this paper.

CONDITIONAL PETITION FOR EXTENSION OF TIME

If entry and consideration of the amendments above requires an extension of time, Applicants respectfully request that this be considered a petition therefor. The Assistant Commissioner is authorized to charge any fee(s) due in this connection to Deposit Account No. 14-1263.

ADDITIONAL FEE

Please charge any insufficiency of fees, or credit any excess, to Deposit Account No. 14-1263.